

# **EXHIBIT B**

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE WESTERN DISTRICT OF MISSOURI

 **COPY**

3  
4 MAXUS REALTY TRUST, INC., )

5 )  
6 Plaintiff, )

7 vs. )

) Case No. 06-0750-CV-W-ODS

8 RSUI INDEMNITY COMPANY )

9 Defendant. )  
10  
11

12 VIDEOTAPE DEPOSITION OF  
13 JOHN W. ALVEY  
14 TAKEN ON BEHALF OF THE DEFENDANT  
15 SEPTEMBER 20, 2007  
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1 MR. ABRAMS: You -- go ahead.

2 A. That's what it says.

3 Q. (By Mr. Group) Okay. Now, going back to McRobert  
4 Exhibit 5, I know earlier you testified that you  
5 felt that the replacement cost value for Location  
6 No. 18, which is the Waverly Apartments, is in --  
7 inaccurate. What is the basis for your reason to  
8 believe that the figure is inaccurate?

9 A. Again, I go back to what we've since learned of  
10 what it would cost to repair since the event.

11 Q. And you got that information from Mr. McRobert,  
12 correct?

13 A. That and I believe the outside people that looked  
14 at the property.

15 Q. Who does that include?

16 A. I -- Flagship I guess. I wasn't really involved  
17 in that part of it.

18 Q. Do you have any understanding as to how much the  
19 Flagship -- excuse me, strike that.

20 Did Flagship ever provide an estimate for  
21 the damage to the Waverly?

22 A. I don't know. I -- it didn't -- I don't think  
23 I've seen it. In my course of work, I wouldn't.  
24 Mr. McRobert was handling it and I didn't need to  
25 step in.